

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D.C.

ORDER NO. 2861

IN THE MATTER OF:

Served May 16, 1986

Application of OLD TOWN TROLLEY)
TOURS OF WASHINGTON, INC., for a)
Certificate of Public Convenience)
and Necessity to Conduct Charter)
and Special Operations)

Case No. AP-85-30

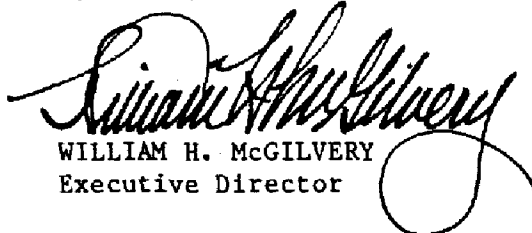
By motion filed May 13, 1986, Old Town Trolley Tours of Washington, Inc. ("Town Trolley" or "applicant"), seeks to extend by 45 days the period for compliance with Order No. 2832, served March 5, 1986, as extended by Order No. 2843, served April 2, 1986. In support of this request applicant states that the lack of an active market for the equipment it needs to provide service precluded Town Trolley from beginning serious negotiation with the manufacturers of that equipment prior to receiving operating authority from the Commission. The contract finalizing purchase of the equipment which must be special-ordered was not executed until April 4, 1986, the date on which the reconsideration period for Order No. 2832 granting Town Trolley operating authority expired. Applicant appended to its motion a copy of portions of its equipment purchase contract showing a contract date of April 4, 1986, and delivery dates of May 31 (three units) and June 30, 1986 (four units). Town Trolley anticipates that an additional two weeks after delivery would be needed to complete all preparations necessary prior to inaugurating service.

We find that applicant was prudent in not finalizing the special order of equipment necessary to provide service until authority had been granted and the time for affected parties to seek reconsideration had run, given the large sums of money involved in the purchase of vehicles required to commence service and the difficulty in disposing of those vehicles should authority not have been granted. Immediately upon expiration of the reconsideration deadline, however, Town Trolley finalized the equipment order. Certainly service cannot be provided without equipment, and Town Trolley's proposal and its authority from this Commission require that that service be provided in vehicles configured to resemble trackless trolleys. Wherefore, good

cause having been shown, the time for compliance with Order No. 2832 is hereby extended to July 3, 1986.

IT IS SO ORDERED.

FOR THE COMMISSION:


WILLIAM H. MCGILVERY
Executive Director